



Order Filed on May 23, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

STEWART LEGAL GROUP, P.L.

Formed in the State of Florida

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Attorney for Nissan Motor Acceptance

Corporation as servicer for Nissan-Infiniti LT

In re:

Rosa Peters and

Mark W Peters

Debtors.

Chapter: 13

Case No.: 21-15798-CMG

Hearing Date: May 18, 2022

Judge Christine M. Gravelle

CONSENT ORDER RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages is hereby **ORDERED**.

DATED: May 23, 2022

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Debtors: Rosa Peters and Mark W. Peters
Case No.: 21-15798-CMG
Caption of Order: **CONSENT ORDER RESOLVING CERTIFICATION OF
DEFAULT**

THIS MATTER having been opened to the Court upon the Certification of Default (“COD”) filed by Nissan Motor Acceptance Corporation as servicer for Nissan-Infiniti LT (“Creditor”), and whereas the post-petition arrearage was \$1,929.45 as of May 16, 2022, and whereas the Debtor and Creditor seek to resolve the Motion, it is hereby **ORDERED**:

1. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Movant’s interest in the following property: **2020 Nissan Murano; VIN: 5N1AZ2BS6LN110171** provided that the Debtors comply with the following:

- a. On or before May 27, 2022, the Debtor shall file a modified plan providing for the curing and payment in full of the pre-petition arrearage, as well as the post-petition arrearage in the amount of \$1,929.45, as well as all other amounts due on the underlying loan;
- b. In addition to the above, the Debtor shall resume making the regular monthly payments to Creditor as they become due beginning with the June 2, 2022 payment; and
- c. Remain current on all post-petition payment obligations, as well as all payments being paid through the Chapter 13 Plan.

2. All direct payments due hereunder not otherwise paid by electronic means and/or automatic draft, shall be sent directly to Creditor at the following address: **Nissan Motor Acceptance Corporation, P.O. Box 660366, Dallas, Texas 75266-0366.**

3. If a modified plan is not filed on or before the date in Paragraph 1(a), this Order shall be deemed to grant Creditor immediate relief from the automatic stay under section 362 of

the Bankruptcy Code to proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies with respect to the Property.

4. If the Debtor files the modified plan in the manner described in Paragraph 1(a) but subsequently fails to pay either the arrears and/or the contractual payments due to Creditor, and the Debtor fails to cure the payment default within thirty (30) days from the date of default, Creditor shall submit an Application for entry of an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) noting the default and permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Notwithstanding the above, the automatic stay shall terminate as to Creditor's rights in the Property on February 2, 2023 due to the maturity of the underlying lease.

6. Creditor is awarded reimbursement of attorney fees in the amount of \$250.00 to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:

/s/ Candyce Ilene Smith-Sklar
Candyce Ilene Smith-Sklar, Esquire
Law Offices of Sklar Smith-Sklar
1901 North Olden Avenue
Ewing Professional Park, Suite 22
Ewing, NJ 08618
Counsel to Debtor

/s/ Gavin N. Stewart
Gavin N. Stewart, Esq.
Stewart Legal Group, P.L.
401 East Jackson Street Suite 2340
Suite 2340
Tampa, FL 33602
Counsel to Creditor

In re:
Rosa Peters
Mark W Peters
Debtors

Case No. 21-15798-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: May 23, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 25, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Rosa Peters, Mark W Peters, 1043 Frontage Road, Toms River, NJ 08753-3171

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 25, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 23, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Brian C. Nicholas	on behalf of Creditor TCF National Bank bnicholas@kmlawgroup.com bkgroup@kmlawgroup.com
Candace Ilene Smith-Sklar	on behalf of Debtor Rosa Peters njpalaw@gmail.com r56958@notify.bestcase.com
Candace Ilene Smith-Sklar	on behalf of Joint Debtor Mark W Peters njpalaw@gmail.com r56958@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor TCF National Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Nissan Motor Acceptance Corporation bk@stewartlegalgroup.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: May 23, 2022

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William M. E. Powers, III

on behalf of Creditor CitiMortgage Inc. ecf@powerskirm.com

William M.E. Powers

on behalf of Creditor CitiMortgage Inc. ecf@powerskirm.com

William M.E. Powers, III

on behalf of Creditor CitiMortgage Inc. ecf@powerskirm.com

TOTAL: 10